

PROFESSIONAL ENGINEERS SECTION MEETING

MINUTES

The Professional Engineers Section of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on August 4, 2010, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Nico De León
Stanley C. Harris
Wiley V. Johnson, III

Staff present for all or part of the meeting were:

Gordon N. Dixon, Director
Mark N. Courtney, Deputy Director of Licensing and Regulation
Kathleen (Kate) R. Nosbisch, Executive Director
Marian Brooks, Board Administrator
Justin Garofalo, Board Administrator
Amy Goobic, Administrative Assistant
Earlyne Perkins, Legal Analyst

No representative was present from the Office of the Attorney General.

Mr. Johnson, Chair, called the meeting to order at 9:08 a.m.

Call to Order

Mr. Johnson advised the Section of the emergency evacuation procedures.

**Emergency
Evacuation
Procedures**

Mr. De León moved to approve the agenda. Mr. Harris seconded the motion which was unanimously approved by members: De León, Harris and Johnson.

**Approval of
Agenda**

There were no comments made to the Section.

**Public Comment
Period**

Regarding **File Number 2010-03739, Stephen Phillip Maslan**, Mr. De León and Mr. Johnson reviewed the Consent Order as seen and agreed to by Mr. Maslan. The Section concurred with the recommendation of the presiding Board member. Mr. De León moved to recommend the Board accept the Consent Order which cites the following violations of the Board's regulations: 18VAC10-20-750.A (Count 1); and 18VAC10-20-C (Count 2). For these violations, Mr. Maslan agrees to the following monetary penalty: \$200.00 for the violation contained in Count 2 and Board costs in the amount of \$150.00, for a total of \$350.00. There was no monetary penalty for the violation contained in Count 1.

**File Number 2010-
03739, Stephen
Phillip Maslan**

In addition, for violation of Count 1, Mr. Maslan agrees to probation of his license. During this probation, Mr. Maslan agrees to:

- (1) Not be in violation of any rules and regulations of the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers & Landscape Architects for transactions occurring after the effective date of this order; and
- (2) Comply with the terms of the probation assigned by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects outlined in Count 1 of the Report of Findings.

This probation shall run concurrently with the above-referenced probation period in Missouri.

As the presiding Board member, Mr. Harris was not present during the presentation or discussion.

Mr. Johnson recused himself from the meeting.

Regarding **File Number 2010-04033, J. W. Warwick**, Mr. De León reviewed the Consent Order as seen and agreed to by Mr. Warwick. Mr. De León concurred with the recommendation of the presiding Board member. Mr. De León recommends the Board accept the Consent Order which cites the following violation of the Board's regulations: 18VAC10-20-790.A.2 (Count 1). For this violation, Mr. Warwick agrees to the following penalties: revocation of license for the violation contained in Count 1, and Board costs in the amount of \$150.00.

As the presiding Board member, Mr. Harris was not present during the presentation or discussion.

Ms. Nosbisch reported that Mr. Johnson and Mr. Stephenson, Land Surveyor, would be joining her at the 2010 NCEES Annual Meeting in Denver, August 18-21. Ms. Nosbisch also reminded the Section of the meeting scheduled for August 11, 2010, to discuss motions that will be presented at the annual meeting.

The Section members were provided draft copies of the regulations with recommended changes discussed at the June 17, 2010, Regulatory Review Committee meeting. The Section discussion included the term "gratis services," that was recommended to be added into 18VAC10-20-720, by a Committee representative. The Section recommended striking the term "gratis services." Discussion was also held of "use of seal," including 'wet'

File Number 2010-04033, J. W. Warwick

NCEES Update

Regulatory Review

signatures on cover sheets and current technology for transmitting files.
Mr. Garofalo presented language regarding the “use of seal” from the NCEES Model Regulations for the Section to consider.

Ms. Nosbisch presented correspondence received regarding EIT designees working at VDOT. The letter was signed by VA State Professional Engineers Society, which does not appear to be a legitimate organization.

Other Business

Mr. Johnson gave a brief update on the APELSCIDLA / VDOT Traffic Engineering Committee meeting held on July 9, 2010.

The Section recessed from 11:00 a.m. to 11:05 a.m.

Recess

The Section viewed, “Henry’s Daughters,” a video on engineering ethics from the National Institute for Engineering Ethics. Discussion was held on the accompanying study guide questions.

**Engineering Ethics
Video**

Conflict of Interest forms were completed by all members present.

**Conflict of Interest
Forms**

There being no further business, the meeting was adjourned at 12:05 p.m.

Adjourn

Wiley V. Johnson III, Chair

Gordon N. Dixon, Secretary